

Original

FILED

JUL - 3 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

(PR)

JSW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Shirone Banks,

Plaintiff,

vs.

M. S. Evans, et al.

Defendant.

CASE NO.

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

08 3224

I, Shirone Banks, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: ___ Net: ___

Employer: ___

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 N/A

5
 6
 7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ___ No X
 10 self employment

11 b. Income from stocks, bonds, Yes ___ No X
 12 or royalties?

13 c. Rent payments? Yes ___ No X

14 d. Pensions, annuities, or Yes ___ No X
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ___ No X
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 N/A

22
 23 3. Are you married? Yes ___ No X

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ N/A

b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

N/A

5. Do you own or are you buying a home? Yes ☐ No ☒

Estimated Market Value: \$ Amount of Mortgage: \$

6. Do you own an automobile? Yes ☐ No ☒

Make Year Model

Is it financed? Yes ☐ No ☐ If so, Total due: \$

Monthly Payment: \$

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes ☐ No ☒ Amount: \$

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☐ No ☒

8. What are your monthly expenses? N/A

Rent: \$ Utilities:

Food: \$ Clothing:

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
<u>N/A</u>	\$ <u> </u>	\$ <u> </u>
<u>N/A</u>	\$ <u> </u>	\$ <u> </u>
<u>N/A</u>	\$ <u> </u>	\$ <u> </u>

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

~~YES~~ NO

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No X

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

N/A

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

June 18, 2008.

DATE

L. Banks

SIGNATURE OF APPLICANT

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NORTHERN DISTRICT OF CALIFORNIA

JSW

CV 08

3224 (PR)

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Banks, Clyde ^{T13203} for the last six months

at **SALINAS VALLEY STATE PRISON
ACCOUNTING DEPARTMENT
P.O. BOX 1020
SOLEDAD, CA 93960-1020**

[prisoner name]

where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 0 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 1.26

Dated: 6/1

R. Macias

[Authorized officer of the institution]

REPORT ID: T93030 .701

REPORT DATE: 06/20/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
SALINAS VALLEY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: DEC. 01, 2007 THRU JUN. 20, 2008

ACCOUNT NUMBER : T13203

BED/CELL NUMBER: FCB3T10000001170

ACCOUNT NAME : BANKS, CLYDE SHIRONE

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
12/01/2007		BEGINNING BALANCE					3.77
12/10	FC03	DRAW-FAC 3	1522 C3			3.77	0.00
		ACTIVITY FOR 2008					
01/08	FR01	CANTEEN RETUR	701750			3.77-	3.77
01/08	FC03	DRAW-FAC 3	1754 C3			3.77	0.00

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
06/18/2008	H109	LEGAL POSTAGE HOLD	3221 LPOST	4.80

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
3.77	0.00	3.77	0.00	4.80	0.00



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE. 6/20/08
ATTEST:

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY R. Macias SUSP
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

4.80-